

Robert F. Schwartz - CA State Bar No. 227327  
TRUCKER HUSS, A Professional Corporation  
120 Montgomery Street, 23rd Floor  
San Francisco, CA 94104-4398  
Telephone: (415) 788-3111  
Facsimile: (415) 421-2017  
email: rschwartz@truckerhuss.com

*Attorneys for Defendant*

Jeffrey Lewis - CA State Bar No. 66587  
Cassie Springer-Sullivan - CA State Bar No. 221506  
LEWIS, FEINBERG, LEE, RENAKER & JACKSON, P.C.  
1330 Broadway, Suite 1800  
Oakland, CA 94612  
Telephone: (510) 839-6824  
Facsimile: (510) 839-7839  
e-mail:  
jlewis@lewisfeinberg.com  
cssullivan@lewisfeinberg.com

*Attorneys for Plaintiff*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOESPH FAHEY,	)	
	)	
Plaintiff,	)	Case No. C06-06554 CRB
vs.	)	
	)	<b>STIPULATION AND [PROPOSED]</b>
WESTERN CONFERENCE OF	)	<b>ORDER TO MODIFY ORDER RE:</b>
TEAMSTERS PENSION PLAN,	)	<b>SUPPLEMENTAL EVIDENCE</b>
	)	
Defendant.	)	
_____	)	

WHEREAS on June 22, 2006, this Court issued an order granting leave for the parties to take the depositions of Joseph Fahey and Sergio Lopez on the same day by no later than July 31, 2007, with supplemental briefs to be filed with the Court not later than August 10, 2007; and

WHEREAS Sergio Lopez was out of the country until July 30, 2007 and therefore could not be subpoenaed for his deposition until after that day; and

WHEREAS the Court therefore granted the parties an extension to take the depositions of

STIPULATION AND [PROPOSED] ORDER TO MODIFY ORDER RE: SUPPLEMENTAL EVIDENCE  
[CASE No. C06-06554 CRB ]

Mr. Fahey and Mr. Lopez until August 31, 2007; and

WHEREAS the depositions were scheduled for August 30, 2007; and

WHEREAS on August 26, 2007, counsel for the parties in this Action learned that Mr. Lopez has been hospitalized in Watsonville for the past 10 days with a serious illness, and it is uncertain when he will be discharged or able to be deposed;

NOW, THEREFORE, the parties, through their attorneys of record, hereby stipulate and request that the Court order as follows:

1. The parties are ordered to complete the depositions of Joseph Fahey and Sergio Lopez not later than November 30, 2007;
2. Upon conclusion of these two depositions, the parties shall prepare simultaneous supplemental briefs, not to exceed ten pages, and shall file them not later than December 10, 2007;
3. All other aspects of the Court's June 22, 2007 Order Re: Supplemental Evidence remain unchanged.

Dated: August 27, 2007

Respectfully submitted,

LEWIS, FEINBERG, LEE,  
RENAKER & JACKSON P.C.

By: /s/  
Cassie Springer-Sullivan  
*Attorneys for Plaintiff*

Dated: August 27, 2007

TRUCKER HUSS

By: /s/  
Robert F. Schwartz  
*Attorneys for Defendant*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 29, 2007

Hon. Charles R. Breyer  
United States District Court

